

# Notice of Allowability

Application No.

10/088,593

Examiner

O'Neal R. Mistry

Applicant(s)

ISHII ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/19/2002.
2. ☒ The allowed claim(s) is/are 1, 3-9.
3. ☒ The drawings filed on 19 March 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/3/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DANIEL MIRIAM**  
**PRIMARY EXAMINER**

### **DETAILED ACTION**

This application has been examined.

Claims 1, 3-9 are presented for examination.

### ***Response to Arguments***

Applicant's arguments, see page 7, filed 6/14/2005, with respect to claims 1-8 have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joshua Dobrowitsky on August 5, 2005.

The application has been amended as follows:

In the claims:

In claim 9, line 16, after "said moving body", insert --wherein a detection means detects flows corresponding to movement with time of an image in the imaging area of a first imaging means excluding a area, and detects movement of a object present in the rear of a moving body on the basis of a detected flows--

### ***Allowable Subject Matter***

Claims 1, 3-9 are allowed.

The following is an examiner's statement of reasons for allowance:

The closest prior art, Shimomura, discloses a system that uses stereo imaging by attaching two different cameras to the back of moving vehicle. The cameras take individual images, which are combined to create a single image that allows the system to determine change or if any objects are approaching the vehicle. The detection system operates by sensing the amount of variation in luminance of the combined images. If there is a sudden change the system recognized that an object is drawing near the moving body.

The closest prior art, Shimomura, fails to disclose detecting movement in the non-overlapping images. The two images are combined to create a single image; the combination is done by taking the two overlap areas of two individual images and aligning the images to create a single one. The applicant states, the system is measuring movement in non-overlapping areas, which means detecting movement on the sides of the individual images, which is clearly not done by Shimomura.

With respect to claims 1 & 9, the closest prior art, Shimomura, does not disclose "wherein a detection means detects flows corresponding to movement with time of an image in the imaging area of a first imaging means excluding a area, and detects

movement of a object present in the rear of a moving body on the basis of a detected flows.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R. Mistry whose telephone number is (703) 305-4675. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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